



150 Broadway ▪ New York ▪ New York ▪ 10038  
TEL. (212) 285-3800 ▪ [www.subinlaw.com](http://www.subinlaw.com)  
Eric D. Subin, Esq. ▪ (646)-797-4643

June 2, 2017

**VIA ECF**

Honorable A. Kathleen Tomlinson  
United States Magistrate Judge  
Eastern District of New York  
One Central Islip Plaza  
Central Islip, New York 11722-9014

Re: Case Name: *Rapillo v. Town of Southampton, et al.*  
Case Number: 16-CV-3728 (LDW)(AKT)

Dear Judge Tomlinson,

I received your order dated June 1, 2017 directing plaintiff to explain the basis for the amendment to the motion to compel defendants to provide outstanding discovery [57].

The amendment was filed solely because plaintiff inadvertently omitted the citation for the cited case of *Mays v. Town of Hempstead* in the originally filed motion. The only change, correction or amendment to the motion was to add in "No. CV 10-3998 LDW AKT, 2011 WL 4345164, at \*1 (E.D.N.Y Sept. 15, 2011)" on page 3 of plaintiff's motion. Nothing else was added or subtracted or otherwise changed or amended. While the decision cited to from the *Mays* case was issued by Your Honor, plaintiff nonetheless wanted to make sure that it was properly cited and desired only to correct the initial oversight out of an abundance of caution.

I apologize for any confusion or inconvenience that my initial oversight or desired correction caused to the Court. Thank you very much for your consideration in this matter.

Very truly yours,

\_\_\_\_\_/s/\_\_\_\_\_  
Eric D. Subin, Esq.

**VIA ECF**

**DEVITT SPELLMAN BARRETT, LLP**

**Joshua Shteierman, Esq.**

Attorneys for Village Defendant(s)

VILLAGE OF SAG HARBOR, VILLAGE OF SAG HARBOR

POLICE DEPARTMENT, SGT. ROBERT F. DRAKE, TOWN OF

SOUTHAMPTON, TOWN OF SOUTHAMPTON POLICE DEPARTMENT

and BAY CONSTABLE DANIELLE MCMANUS

50 Route 111

Smithtown, New York 11787

Tel.: (631)724-8833

**VIA ECF**

**DENNIS M. BROWN**

**Kyle Wood, Esq.**

Suffolk County Attorney

Attorneys for Defendant(s)

SUFFOLK COUNTY SHERIFF'S OFFICE, SUFFOLK

COUNTY POLICE DEPARTMENT, DEPUTY SHERIFF

BRYAN MALDONADO AND DEPUTY SHERIFF RICHARD PEDIGO

Post Office Box 6100

100 Veterans Memorial Highway

Hauppauge, New York 11788